

IN THE SENATE OF THE UNITED STATES.

MAY 18, 1858.—Submitted and ordered to be printed.

Mr. BIGLER submitted the following

REPORT.

*The Committee on Post Offices and Post Roads, to whom was referred the petition of John Wightman, a contractor for carrying the mail on route No. 3366, from Meadville to Clarion, in the State of Pennsylvania, respectfully submit the following report :*

The petitioner represents that he has a contract with the Post Office Department for carrying the mail daily between Clarion and Meadville, in the State of Pennsylvania; that the contract was allotted to him at the regular letting and in regular form; that he has so far performed his engagement, but owing to the destruction of sundry bridges on the route and the dilapidated condition of the road, it having been entirely abandoned by the company owning it, the expenses of transporting the mail have been greatly increased, whilst at the same time the travelling public have been mainly driven from the route, and he is consequently a heavy loser by the contract, and he prays Congress to pass an act authorizing the Postmaster General to change the compensation allowed in his contract.

The committee do not doubt, from the testimony before them, that the roads on said route are in a very bad condition, nor that the bridges have been destroyed, and that the expenses of transporting the mail may have been enhanced from causes over which the contractor could have no control; but they can see no safe or proper principle upon which the relief prayed for can be granted. Mr. Wightman was duly notified at the time he bid for the contract that he must run the whole risk of the very casualties of which he now complains. The advertisement inviting proposals for the service in question provided as follows, to wit:

“The distances are given according to the best information; but no increased pay will be allowed should they be greater than that advertised, if the points to be supplied be correctly stated. Bidders must inform themselves on these points, and also in reference to the weight of the mail, the condition of the roads, hills, streams, &c., and all toll-bridges, ferries, or obstructions of any kind by which expenses may be incurred. No claim for additional pay, based on such grounds, can be considered; nor for bridges destroyed or other obstructions, during the contract term.” These are the usual conditions on all

similar lines, and it will be perceived that they embrace the precise case presented by the petitioner. He has agreed not to claim damages or increase of compensation because of the destruction of bridges, or the condition of streams or hills, or even for increase of mail matter. According to the petitioner's own showing he is suffering from one of those incidents or circumstances in mail service against which it never has been the policy of the government to extend protection. If one contractor be allowed to come to Congress and successfully claim increased compensation for such casualties, then all others must have like consideration and relief. If it be the duty of Congress to assume the losses in one case, it must be in all others of a similar character, and the consequences of such practice would be that much of the time of Congress would necessarily be employed in correcting the errors and miscalculation of mail contractors. Besides, were this practice indulged in to any considerable extent, it could not fail to exercise a most prejudicial influence upon the business of the Post Office Department, subjecting it to the annoyance of mere experimental contracts, and to the schemes of such as might think it politic to bid at low rates with the view of claiming relief at the hands of Congress. However meritorious and sincere the claim of Mr. Wightman may be, the committee do not feel at liberty to recognize a principle so manifestly prejudicial to the public service as that involved in the proposition which he has presented; and they respectfully submit the following resolution:

*Resolved*, That the committee be discharged from the further consideration of the subject.